



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII, MONTANA OFFICE
FEDERAL BUILDING, 301 S. PARK, DRAWER 10096
HELENA, MONTANA 59626-0096

Ref: 8MO

April 28, 1997

Mr. Larry E. Hamilton
State Director
BLM Montana State Office
P.O. Box 36800
Billings, Montana 59107

RE: Supplement to DEIS, Standards for
Rangeland Health and Guidelines
for Livestock Grazing Management

Dear Mr. Hamilton:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the Montana Office of the U.S. Environmental Protection Agency (EPA), Region VIII, has reviewed the Supplement to the above referenced Draft EIS.

The EPA would like to reiterate that we consider the development of standards for rangeland health and guidelines for livestock grazing management by the BLM to be a very positive step. We support the direction of BLM in developing regional S&Gs, and expediting the rate at which management changes are implemented to protect and improve conditions for riparian areas, wetlands, water quality, and ecological health of watersheds.

We draw your attention to EPA's January 13, 1997 comments on the original Standards for Rangeland Health and Guidelines for Livestock Management DEIS, dated October 1996. Since the Supplement to this DEIS simply extends the analysis of the original DEIS to BLM lands in western Montana, documenting the effects of adopting regional standards for rangeland health and guidelines for livestock grazing management for BLM lands in western Montana, the Agency's earlier comments are generally pertinent to this Supplement, and should be addressed in the FEIS.

As stated in our earlier DEIS comments, we recommend that the BLM evaluate its procedures to implement S&Gs to assure that they are consistent with water quality assessment procedures used by State and EPA nonpoint source pollution management and water quality standards (WQS) programs. For most circumstances it would appear that BLM procedures that assess "proper functioning condition" (PFC) for riparian and wetland areas would also ensure that water quality (i.e., chemical, physical, and biological integrity) are restored and

maintained. It is important to note that the Clean Water Act goal is to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters."

The BLM's focus on physical conditions (i.e., hydrologic, vegetative, and geomorphic conditions) for assessing PFC in riparian areas may be appropriate for grazing management, but we believe it would be prudent to specifically evaluate whether PFC adequately assesses chemical and biological conditions. We suggest that the BLM obtain concurrence from appropriate State and EPA Nonpoint Source Pollution and Water Quality Standards program offices that PFC assessment procedures are consistent with procedures used by States and EPA for assessing water quality and are adequate to assure WQS compliance.

We are aware of the up and coming PFC training in Montana offered by the BLM and Forest Service (i.e., Miles City, May 7 & 8; Helena, June 11 & 12; Lewistown, June 18 & 19; Kalispell, July 9 & 10). These training workshops should allow opportunity for discussion of PFC in light of Clean Water Act goals. State and EPA personnel involved in maintaining water quality and implementing non-point source pollution management programs should be invited to this training.

We have enclosed our more detailed comments and questions on the Supplement to the Draft EIS in the enclosure with this letter. Based on the procedures EPA uses to evaluate the environmental impacts and the adequacy of information provided in EIS's of the proposed action and alternatives, the EPA rates the Supplement to the Draft Environmental Impact Statement (DEIS) for Standards for Rangeland Health and Guidelines for Livestock Grazing Management on BLM-Administered Lands in Montana and the Dakotas similar to our rating on the original DEIS, category EC-2 (Environmental Concerns, Insufficient Information).

This rating indicates that EPA has identified potential environmental impacts, particularly concerning the preservation of surface water quality and the ability to achieve water quality standards beneficial uses. Additionally, the DEIS does not contain sufficient information to fully assess environmental impacts that should be avoided and specific mitigation methods to minimize those impacts.

If you may have questions related to these comments on the Supplement please contact Mr. Steve Potts of my staff in Helena at 406-441-1140 ext. 232, or if you have questions regarding our earlier comments on the original DEIS you may contact Ms. Toney Ott in our Denver Regional Office at (303) 301-312-6909.

Sincerely,

A handwritten signature in dark ink, appearing to read "John F. Wardell", is written over a horizontal line.

John F. Wardell
Director
Montana Office

Enclosure

**CC: Carol Campbell/Virginia Rose, EPA, Denver, 8EPR-EP
Toney Ott, EPA, Denver, 8EPR-EP
Stuart Lehman/Abe Horpestad, MDEQ, Resource Protection Planning,
Helena,
Gary Ingman/Chris Levine, MDEQ, Monitoring & Data Management, Helena
Elaine Suriano, EPA-HQ, OFA, Mail Code 2252A, Washington DC**

EPA Comments on the Supplement to the Draft Standards for Rangeland Health and Guidelines for Livestock Grazing Management EIS

Brief Project Overview:

The Supplement to the Draft EIS discloses additional impacts not covered in the original October 1996 Standards & Guidelines DEIS for implementing the proposed alternatives on BLM administered lands in Montana that are west of the Continental Divide. The Supplement only includes those portions of the DEIS where changes were made to reflect new information or impacts created by the addition of lands west of the Continental Divide.

These lands were not included in the original DEIS because at the time it was expected that they would be included in the Interior Columbia Basin Ecosystem Management Project (ICBEMP) DEIS. However, the schedule for the ICBEMP has been extended. This would cause the Fallback Standards and Guidelines (S&Gs) to automatically go into effect in western Montana on August 12, 1997 (43 CFR 4180.2(f)).

By supplementing the Standards for Rangeland Health and Guidelines for Livestock Grazing Management DEIS, BLM lands in western Montana will get the same consideration and analysis of alternative as the other BLM lands in Montana and the Dakotas. The Record of Decision on the Montana/Dakotas Final EIS will apply to BLM lands in western Montana. The ICBEMP decision, however, will supercede the Montana/Dakota S&Gs decision.

The Supplement documents effects of adopting the Butte Resource Advisory Council proposed standards for rangeland health and guidelines for grazing management on BLM administered lands in western Montana. Proposed S&Gs would be incorporated into the Garnet Resource Management Plan. Standards describe conditions needed to sustain rangeland health (e.g., soils, watersheds, wetland and riparian areas, plants, wildlife, water quality, etc.). Guidelines describe management practices or methods that can be used to meet the standards.

Like the original DEIS, the Supplement analyzes three alternatives, Alternative 1, no action; Alternative 2, the proposed action; and Alternative 3, the Fallback Standards & Guidelines.

Comments:

1. We draw your attention to EPA's January 13, 1997 comments on the original Standards for Rangeland Health and Guidelines for Livestock Management DEIS, dated October 1996. Since the Supplement to the DEIS simply extends the analysis of the original DEIS to BLM lands in western Montana, documenting the effects of adopting regional standards for rangeland health and guidelines for livestock grazing management for BLM lands in western Montana, the Agency's earlier comments are generally pertinent to this Supplement, and should be addressed in the FEIS.

We draw your particular attention to our earlier comment that noted concern about the equivocal language in the Butte standards that allows "significant progress" toward meeting PFC or water quality standards to meet the proposed grazing standard. Depending upon how this "significant progress" is interpreted we are concerned that it could allow non-compliance with PFC and water quality standards to continue for a long time. We believe the FEIS should describe how significant progress toward PFC and water quality standards would be determined and monitored.

Also as noted in our earlier comments, we are concerned about Butte Guideline #6 which states that facilities (e.g. corrals, water developments) should be located away from riparian areas and wetlands, when possible. The other District Guidelines simply locate facilities away from riparian areas and wetlands. Is there any significance to the Butte District indicating that riparian areas and wetlands are to be avoided only "when possible"? Who determines when it is possible to locate facilities to avoid riparian-wetland impacts?

2. The environmental benefits of extending the proposed Standards & Guidelines (S&Gs) to western Montana in this Supplement are not fully clear to us. It appears likely that proposed regional S&Gs in western Montana would only be in effect for a short time, since they will be superceded by the ICBEMP Decision. In addition, it is stated that the Fallback S&Gs would automatically go into effect without the Supplement, and the long term environmental effects from implementing the Fallback S&Gs would be essentially identical to the effects expected from the proposed S&Gs (page 8). It does not appear, therefore, that there would be much difference between having the proposed S&Gs vs. the Fallback S&Gs in effect for the short time before being superceded by the ICBEMP. Perhaps the need for extending these proposed S&Gs to western Montana on an interim basis, rather than letting the Fallback S&Gs go into effect, should be clarified in the FEIS.

3. There is confusion in the Supplement regarding the number of allotments the BLM administers in western Montana. From the disclosure on page 9 that the number of BLM allotments within the EIS study area increases from 5,240 to 5,320 it appears that there are 80 allotments in western Montana. However, the revised figures for allotment categorization on page 3 appear to indicate that there are 120 allotments in western Montana, since the Improvement ("I") category allotments increase by 36 allotments (increase to 810 from 774), Maintenance ("M") category allotments increase by 31 allotments (increase to 1520 from 1489), and Custodial ("C") category allotments increase by 53 (increase to 2780 from 2727). This should be clarified in the FEIS.

4. Does the Threatened and Endangered Species section of the Supplement adequately analyze effects of the proposed S&Gs upon western Montana's threatened grizzly bear, especially since there may be attempts to reintroduce the grizzly bear in areas of southwestern Montana?

5. For your information, we note that tansy ragwort (*Senecio jacobaea* L.) may be another noxious weed species that the BLM may need to address in future years in regard to biodiversity and ecological integrity (Supplement, page 11). The Forest Service is presently trying to control a tansy ragwort weed infestation in northwestern Montana (Tally Lake District, Flathead National Forest).

6. Table 4-4 (Supplement page 17) shows that 10 western Montana allotments would have reductions in livestock use, 1 would have an increase in livestock use, 10 would have changes in grazing systems, and 10 would have changes in range improvements/vegetation treatments. Since these allotments may include more than one type of change, it is not clear if all 20 allotments in western Montana which are not meeting standards (page i) will be changed. This should be clarified in the FEIS. We would expect that grazing management changes would occur on all 20 allotments which are not meeting standards, so that they can meet standards.

7. The change in Table 4-4 showing the number of allotments in Alternative 2 where there would be a total exclusion from livestock grazing decreases from 2 allotments to 0 allotments, implying that 2 existing livestock exclusions in western Montana would be removed. We are concerned about removal of livestock exclusions, since such exclusions are generally implemented to allow restoration of severely overgrazed areas. Are the proposed reductions in livestock exclusions in western Montana consistent with the goal of riparian restoration? The FEIS should include additional discussion or clarification regarding the reduction in these livestock exclusions with the proposed action.